

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSE FIGUEROA,

Petitioner,

v.

MIKE WENEROWICZ ET AL.,

Respondents.

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CIVIL ACTION

NO. 11-1292

ORDER

AND NOW, this ____ of July, 2011, upon careful and independent consideration of the Petition for Writ of *Habeas Corpus* filed pursuant to 28 U.S.C. § 2254, and after review of the Report and Recommendation of United States Magistrate Judge Thomas J. Rueter (Doc. 12), and Petitioner's Objection (Doc. 13), **IT IS HEREBY ORDERED** and **DECREED** as follows:

1. The Report and Recommendation is **APPROVED** and **ADOPTED**;
2. The petition for Writ of *Habeas Corpus* is **STAYED** until thirty (30) days after completion of state court appellate proceedings;
3. No certificate of appealability is granted.

BY THE COURT:

/s/ **Petrese B. Tucker**

Hon. Petrese B. Tucker, U.S.D.J.